REMARKS/ARGUMENTS

This case has been reviewed and analyzed in view of the Official Action dated 9 February 2004. Responsive to the objections and rejections made by the Examiner in the outstanding Official Action, Claims 1, 5, and 7 have been amended and Claims 4, 6, and 8 have been canceled to more clearly clarify the inventive concept of the Applicant.

It is respectfully noted that the Examiner stated in the outstanding Official Action that Claims 4, 6, and 8 were merely objected to as being dependent upon a rejected base Claim, but would be allowable if rewritten in Independent form including all of the limitations of the base Claim and any intervening Claims. Claim 4 has now been canceled from this case and the limitations of Claim 4 have been incorporated into newly-amended Independent Claim 1. Claim 6 has additionally been canceled from this case and the limitations of Claim 6 have been incorporated into Independent Claim 5. Additionally, Claim 8 has now been canceled from this case and the limitations of Claim 8 have been incorporated into Independent Claim 7. Thus, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Prior to a further discussion of the Examiner's objections and rejections made in the outstanding Official Action, it is believed that it may be beneficial to briefly review the subject Patent Application system in light of the inventive concept of the Applicant. The subject Patent Application system is directed to a ventilation mattress. As shown in

Figs. 1 and 2 of the subject Patent Application Drawings, the ventilation mattress includes an outer bag 11 having a top fabric sheet layer 131 and a bottom fabric sheet layer 131 peripherally sealed to the top fabric sheet layer. At least one air inlet 12 extends from the top fabric sheet layer and the bottom fabric sheet layer and a plurality of air vents are formed in the top fabric sheet layer and are in communication with the air inlet 12. At least one electric fan 15 is connected to flexible tube 14 and is adapted to induce currents of air into the inside of the outer bag 11. The electric fan 15 includes an air input port 152, a grill 153 mounted in the air input port 152, and an air filter 1531 mounted in the grill 153.

The Examiner has rejected Claims 5 and 7 under 35 U.S.C. § 103(a) as being unpatentable over the Rhodes Patent #6,273,810 in view of the Lea Patent #5,552,205. It is the Examiner's contention that it would have been obvious to one having ordinary skill in the art at the time of the invention to employ the fabric stuffing as taught by Lea in the cushion of Rhodes in order to enable the nylon fibers to act effectively in tension between the upper and lower sheets to limit deflection of the upper and lower sheets away from each other and maintain sufficient air pressure.

The Rhodes reference is directed to an inflatable air cell having combined pneumatically adjusted occupant support and thermal conditioning. As shown in Fig. 1, seat 10 provides an inflatable air cell system 15 including one or more inflatable air cells 18, 20 mounted at preselected locations within seat 10. The system includes a pump 29

and the sheet 20 is imperforate and sheet 22 is perforated at 25 for flow of thermal conditioning air for either heating or cooling the seat surface.

The Lea reference is directed to a batting filled inflatable body and a method of making the same. As shown in the Figures, the inflatable body 10 includes a flat, rectangular configuration comprising upper skin 12 and lower skin 14, which are bonded one to another about their entire periphery to provide an air impervious envelope enclosing a core 16. This reference is provided merely to show a batting filled inflatable mattress. The reference does not include any sort of ventilation means nor does it include an air pumping or fan means.

Though the Rhodes reference includes an air pump 29 which connects to the inflatable air cells by tubes 27, the Rhodes reference does not teach the use of a fan having a grill and, particularly, an air filter.

The system of the subject Patent Application, however, includes high performance fan 15 having an air input port 152, a grill 153, and a filter 1531 positioned between grill 153 and the air input port 152. Since the air drawn through the fan 15 is to be directed onto a user, it is necessary to filter the air for both sanitary and hygienic reasons.

Neither the Lea reference nor the Rhodes reference teach or suggest the use of a fan having an air filter for projecting clean and filtered air onto a user.

Thus, neither the Rhodes reference nor the Lea reference, when taken alone or in combination, provide for: "...said at least one electric fan having an air input port, a grill

mounted in said air input port, and an air filter mounted in said grill...", as is clearly provided by newly-amended Claims 1, 5, and 7.

Thus, based upon newly-amended Claims 1, 5 and 7, it is not believed that the subject Patent Application is made obvious by either the Rhodes reference or the Lea reference, when taken alone or in combination, when Independent Claims 1, 5, and 7 are carefully reviewed.

The Examiner has additionally rejected Claims 1-3 under 35 U.S.C. § 103(a) as being unpatentable over the Rhodes reference in view of the Kottemann Patent #3,030,145 and the Lea reference. It is the Examiner's contention that it would have been obvious to one having ordinary skill in the art at the time of the invention to employ a flexible tube and fan as taught by Kottemann with the cushion of Rhodes in order to provide forced circulation of air inside the bag.

As discussed above, neither the Rhodes reference nor the Lea reference provide for a fan having a grill and air filter. The Kottemann reference is directed to a ventilating seat pad. As shown in Fig. 2, sidewalls 32 of extension 31 converge downwardly and at their juncture point, the extension has a port or opening 33 which is adapted for connection with or attachment to one end of a flexible hose 34. The lower end of the hose section 34 is connected to a motor-blower unit 35, with the blower element being indicated by reference numeral 36 and the electrical motor by reference numeral 37. This arrangement provides for forced circulation of air by way of blower 35 through the air-

permeable cover by forcing the air into the cover through manifold 19. The blower-motor unit may be replaced by fan 42 and reversible motor unit 43, as shown in Fig. 9.

Though the Kottemann reference teaches the use of a fan, it does not teach the use of an air filter positioned between the grill and the air inlet of the fan.

None of the Kottemann, Rhodes, or Lea references, teach or suggest, when taken alone or in combination, the use of an air filter positioned between the grill of the fan and the air inlet. In the system of the subject Patent Application, however, the fan 15 is provided with a filter 1531 positioned between grill 153 and air input port 152. Since air is being drawn through fan 15 to be circulated within the mattress and then blown onto the body of the user, it is necessary to filter the air for both sanitary and hygienic purposes.

Thus, neither the Kottemann reference, the Lea reference, nor the Rhodes reference, when taken alone or in combination, provide for: "...said at least one electric fan having an air input port, a grill mounted in said air input port, and an air filter mounted in said grill...", as is clearly provided by newly-amended Independent Claims 1, 5, and 7.

Thus, based upon newly-amended Independent Claims 1, 5, and 7, it is not believed that the subject Patent Application is made obvious by the Rhodes reference, the Lea reference, or the Kottemann reference, when taken alone or in combination, when Independent Claims 1, 5, and 7 are carefully reviewed.

It is now believed that the remaining Claims 2 and 3 show patentable distinction over the prior art cited by the Examiner for at least the same reasons as those previously discussed for Independent Claims 1, 5, and 7.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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